

1 Gregory S. Gilbert
2 Sean D. Thueson
3 HOLLAND & HART LLP
4 3800 Howard Hughes Pkwy., 10th Floor
5 Las Vegas, Nevada 89169
6 Telephone: 702-669-4600
7 Facsimile: 702-669-4650

5 -and-
Thomas R. Buchanan
Admitted Pro Hac Vice
6 McDOWELL, RICE, SMITH & BUCHANAN
7 605 West 47th, Suite 350
Kansas City, MO 64112
Telephone: 816-753-5400
8 Facsimile: 816-753-9996

9 *Attorneys for Defendants*
10 *Terracon Consultants Western, Inc.;*
 and Terracon, Inc.

HOLLAND & HART LLP
3800 Howard Hughes Parkway, 10th Floor
Las Vegas, NV 89169
Phone: (702) 669-4600 • Fax: (702) 669-

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEVADA

CASE NO. 2:04-cv-1488-RCJ-PAL

**STIPULATION AND ORDER
FOR DISMISSAL**

MANDALAY RESORT GROUP, fka CIRCUS CIRCUS ENTERPRISES, INC. a Nevada corporation; MANDALAY DEVELOPMENT, fka CIRCUS CIRCUS DEVELOPMENT CORP., a Nevada corporation; and MANDALAY CORP., a Nevada corporation.

Plaintiff,

V.

TERRACON CONSULTANTS WESTERN,
INC., an Iowa corporation; TERRACON,
INC., an Iowa corporation; and DOES 1
through 50, inclusive,

Defendant.

AND ALL RELATED ACTIONS

25 COMES NOW Plaintiffs Mandalay Resort Group, fka Circus Circus Enterprises, Inc.;
26 MGM Grand Resorts Development, fka Mandalay Development, fka Circus Circus Development
27 Corp.; and Mandalay Corp. (“Mandalay”), and Defendants Terracon Consultants Western, Inc., and
28 Terracon, Inc., (hereinafter “Terracon”), and the Third-Party Defendants, Lochsa, LLC, Klai-Juba,

1 Architects, Ltd., and The Pressure Grout Company (hereinafter "Third Party Defendants) and by
2 and through their respective counsel of record and hereby stipulate and agree to the dismissal of this
3 action, with prejudice, with each party to bear its own costs and fees. This stipulation shall also
4 include the dismissal with prejudice of Defendants Terracon Consultants Western, Inc., and
5 Terracon, Inc., now known as Terracon Consultants, Inc.; and the dismissal with prejudice of each
6 of the Third-Party Defendants, Lochsa, LLC, Klai-Juba Architects, Ltd., and The Pressure Grout
7 Company.

8 Dated this 1st day of October 2009

9 GIRARDI & KEESE

10 By: /s/ David R. Lira

11 Shahram Shayesteh, Esq.
12 David R. Lira, Esq.
13 1126 Wilshire Blvd.
14 Los Angeles, CA 90017
15 -and-
16 Dennis R. Haney, Esq.
17 Stefanie R. Shields, Esq.
18 HANEY, WOLOSON & MULLINS
19 1117 South Rancho Drive
20 Las Vegas, NV 89102
21 *Attorneys for Plaintiff Mandalay Report*
22 *Group f/k/a/ Circus Circus Enterprises, Inc.*

23 Dated this 1st day of October 2009

24 CISNEROS CLAYTON & MARIAS

25 By: /s/ Paul M. Haire

26 Paul M. Haire, Esq.
27 1140 Tower Center Dr. Ste. 200
28 Las Vegas, NV 89144
Attorneys for Third Party Defendant The
Pressure Grout Company

29 IT IS SO ORDERED.

30 Dated this 1st day of October 2009

31 HOLLAND & HART LLP

32 By: /s/ Gregory S. Gilbert

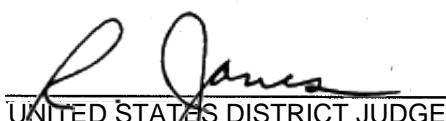
33 Gregory S. Gilbert, Esq.
34 Sean D. Thueson, Esq.
35 3800 Howard Hughes Pkwy., 10th Floor
36 Las Vegas, Nevada 89169
37 -and-
38 Thomas R. Buchanan
39 *Admitted Pro Hac Vice*
40 605 West 47th, Suite 350
41 Kansas City, MO 64112
42 *Attorneys for Defendants*
43 *Terracon Consultants Western, Inc.;*
44 *and Terracon, Inc.*

45 Dated this 1st day of October 2009

46 WEIL & DRAGE, APC

47 By: /s/ Jean A. Weil

48 Jean A. Weil, Esq.
49 Anthony D. Platt, Esq.
50 Trevor O. Resurreccion, Esq.
51 6085 W. Twain Ave., Ste. 203
52 Las Vegas, NV 809103
53 *Attorneys for Third Party Defendants*
54 *Lochsa, LLC & Klai-Juba Architects, Ltd.*

55 
56 UNITED STATES DISTRICT JUDGE